

MEMO ENDORSED

DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 1/19/2023

DANIEL J. OLLEN
ATTORNEY AT LAW
1140 AVENUE OF THE AMERICAS
9TH FLOOR
NEW YORK, NY 10036

(212) 619-1245

FACSIMILE
(212) 619-1248

January 13, 2023

BY ECF

Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Nishant Sheth
21 Mag. 6626

Dear Judge Carter:

On November 14, 2022, the Court directed the parties to provide a joint status report with respect to Nishant Sheth's condition on or before January 13, 2023.

As of today's date, Mr. Sheth remains incarcerated at FMC Devens. On December 21, 2022, I received an e-mail in response to my request for information from Dr. Miriam Kissin of FMC Devens. Dr. Kissin informed me that Mr. Sheth had recently had a negative physical reaction to his prescribed medication (Risperdal) and that he had agreed to take a new medication. Dr. Kissin reported that Mr. Sheth was more lucid than he had been prior to being medicated and that he had been transferred to a less restrictive unit, which afforded him the opportunity to leave his cell and participate in community interactions.

On January 9, 2023, I received an e-mail from Dr. Dean Cutillar of FMC Devens in response to my inquiry. Dr. Cutillar informed me that Mr. Sheth has been compliant with his medication since December 19, 2022 and that he has been stable since that time, with no behavioral issues. Dr. Cutillar stated that the plan was to continue Mr. Sheth on his medications and continue to monitor his mental status.

Since our last court date, I have spoken with Mr. Sheth over the telephone. For the very first time, I was able to converse with Mr. Sheth in a reasonable manner. To say the least, his demeanor has changed noticeably for the better since my last abbreviated visit with him. In addition, in the last few weeks Mr. Sheth has telephoned his parents on an almost daily basis,

Honorable Andrew L. Carter, Jr.
January 13, 2023
Page 2

after refusing to do so for many months. Mr. Sheth's parents and I believe that he is well on his way to recovery.

Under the circumstances, the parties respectfully request that the case be put over for a 30 day period for submission of a joint status report relating to Mr. Sheth's condition.

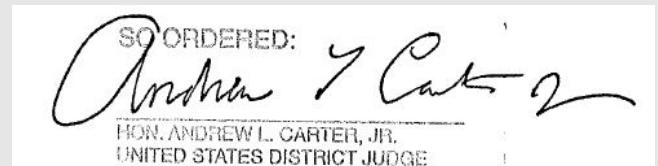
Thank you for your consideration.

Respectfully submitted,



Daniel J. Ollen

cc: Jane Y. Chong (by ECF)



1/19/2023